



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

**Board Members**

Max Wilson, District 4, Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Andrew Kunasek, District 3  
Mary Rose Wilcox, District 5

**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, AZ 85003

# FORMAL MEETING AGENDA

## BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts and/or Board of Deposit)

**Wednesday, March 18, 2009  
9:00 AM**

Agendas are available at least 24 hours prior to each meeting in the Office of the Clerk of the Board, 301 West Jefferson, Tenth Floor, Phoenix, Arizona, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. and on the internet at [http://www.maricopa.gov/Clk\\_board/Agendas.aspx](http://www.maricopa.gov/Clk_board/Agendas.aspx). One or more Board members may attend telephonically. Board members attending telephonically will be announced at the meeting. The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3). Accommodations for individuals with disabilities, including alternative format materials, sign language interpretation, and assistive listening devices are available upon 72 hours' advance notice through the Office of the Clerk of the Board, 301 West Jefferson Avenue, Tenth Floor, Phoenix, Arizona 85003, (602) 506-3766, Fax (602) 506-6402, TDD (602) 506-2348. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

*See the Clerk and fill out a speaker's form if you would like to address the Board regarding any matter on the agenda.*

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1. **INVOCATION**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

## **BOARD OF SUPERVISORS**

4. **Pet Showcase by Maricopa County Animal Care and Control.**

## **PRESENTATIONS**

5. **PRESENTATION TO THE JERRY COLANGELO BOYS AND GIRLS CLUB RANCH**

Presentation regarding the donation of sports equipment valued at \$1,500 from Dick's Sporting Goods, Pittsburgh, Pennsylvania, to the new Jerry Colangelo Boys and Girls Club in West Phoenix. The donation is the result of a Super Bowl XLIII wager between Allegheny and Maricopa Counties. All donations were received from private entities and no public funds or property were expended. (C-71-09-004-P-00)

*Max Wilson, Chairman*

6. **MARICOPA COUNTY FY 2009-10 HEAD START/EARLY HEAD START FUNDING PRESENTATION**

Presentation regarding the Maricopa County FY 2009-10 Head Start/Early Head Start grant application, which requires Board of Supervisors approval. There is a subsequent agenda action regarding this approval. In addition, the presentation will include a program update for FY 2008-09. (C-22-09-135-P-00)

*Marjorie Weiss, Assistant Director, HSD*

## **STATUTORY HEARINGS**

### **Clerk of the Board**

7. **LIQUOR LICENSE APPLICATIONS**

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. **AGENT CHANGE FOR BRIARWOOD COUNTRY CLUB**

Pursuant to A.R.S. § 4-203(F), approve an application filed by Keith Warren Underwood for an Agent Change and Acquisition of Control from John Kaufman for the Briarwood Country Club at 20800 N. 135th Avenue, Sun City West, AZ 85375. (AZ #14070087) (Supervisory District 4) (C-06-09-304-L-00)

**b. SPECIAL EVENT FOR ROTARY CLUB OF ANTHEM**

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Craighton T. Boates for Rotary Club of Anthem at 41703 N. Gavilan Peak Parkway, Anthem, AZ 85086 to be held on April 4 and 5, 2009 from 10:00 a.m. to 6:00 p.m. (Supervisory District 3) (C-06-09-328-L-00)

**c. SPECIAL EVENT FOR SUN CITY WEST SOFTBALL CLUB**

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Ronald L. Power for the Sun City West Softball Club at 13800 W. Deer Valley Drive, Sun City West, AZ 85375 to be held on March 29, 2009 from 4:00 p.m. to 10:00 p.m. (Supervisory District 4) (C-06-09-327-L-00)

**Public Works**

**8. ROAD FILE DECLARATIONS**

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

**a. ROAD FILE NO. 5806**

All streets consistent with the rights-of-way, as depicted in Rio Mountain Estates Unit I, a subdivision as shown in Book 663 of Maps, Page 19, M.C.R.

General Vicinity: Rio Verde Drive and 152nd Street. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 2

(C-91-09-103-M-00)

**b. ROAD FILE NO. 5805**

All streets consistent with the rights-of-way, as depicted in Fitzpatrick Ranch, Unit III, a subdivision as shown in Book 910 of Maps, Page 08, M.C.R.

General Vicinity: Deer Valley Drive and Veterans Drive. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4.

(C-91-09-101-M-00)

**Public Health**

**9. FEE INCREASE TO ARIZONA VITAL RECORDS FEE SCHEDULE**

Pursuant to A.R.S. §11-251.08, convene the scheduled public hearing to consider approving the Department of Public Health to increase the existing fee schedule for Maricopa County's Department of Public Health's Vital Records product/fee list. The fee increases will affect the fees charged for Arizona vital records. The proposed fee increases are attributed to an anticipated fee increase to be adopted by Arizona Department of Health Services (ADHS). The proposed fee schedule will be attributable to and defray or cover the expense of the product or service for which the fee will be assessed. No fee will exceed the actual cost of the product or service provided. Use of the fee schedule will be based on the following Board of Health recommendation. According to A.R.S. 36-341 (A), a Local Registrar (County

Health Officer) may establish their own fees to be charged for services provided by Vital Records. The proposed Public Health Vital Records Product/fee increases are as follows:

RECORD	CURRENT FEE	PROPOSED FEE
Non Certified Copy of a Certificate	\$3.00	\$5.00
*Certified Birth Certificate	\$9.00	\$14.00
*Certified Death Certificate	\$9.00	\$14.00
*Certified Fetal Death Certificate	\$9.00	\$14.00
*Certified Stillbirth Certificate	\$9.00	\$14.00
*Registration & Issuance of Delayed Death Certificate	\$9.00	\$14.00
*Birth Certificate Amendment	\$22.00	\$24.00
*Death Certificate Amendment	\$22.00	\$24.00

An (\*) is used to denote those fees that have a surcharge associated with them and the associated fee excludes that \$1.00 surcharge. These fees were heard by the Board of Health on Monday, January 26, 2009. (C-86-09-048-M-00)

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **COUNTY OFFICERS**

#### **Clerk of the Board**

#### **10. RESOLUTION FOR DELEGATION AUTHORITY ON GRANT APPLICATIONS**

Approve a Resolution which delegates to the Chairman of the Board of Supervisors the authority to sign grant applications in compliance with grant policy guidelines in which the grantor requires the Chairman's signature.

If awarded, prior to accepting grant funds, Board of Supervisors approval is required. All other grant procedures outlined in the Policy for Administering Grants (A2505) remain in full force and effect. (C-06-09-283-6-00)

#### **11. CANVASS THE RETURNS FOR THE MARCH 10, 2009 ELECTION FOR INCORPORATION OF THE TOWN OF TONOPAH**

Pursuant to A.R.S. § 16-642, canvass the election returns for the March 10, 2009 Election for Incorporation of the Town of Tonopah in accordance with the Official Results prepared by the Maricopa County Elections Department.

The Maricopa County Elections Department has prepared the Official Returns from all county precincts, declaring the vote for the Election for Incorporation of the Town of Tonopah held on March 10, 2009. The BOS is required to canvass these returns within 20 days following the election. The Official Canvass is on file with the Clerk of the Board of Supervisors.

If a majority of qualified electors of the community of Tonopah voting thereon voted for incorporation, then the Board of Supervisors shall, by order, declare the community incorporated as the Town of Tonopah. The order shall further designate the metes and bounds of the area.

Based on the results of the official canvass, enter an appropriate order. (C-06-09-179-7-01)

**Constables**

**12. GRANT FROM CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD FOR GPS EQUIPMENT**

Approve the application and acceptance of grant funds from Arizona Constable Ethics, Standards & Training Board, (CESTBEG09-03), to Maricopa County, by and through the Constables Administration Department, in the amount of \$14,903.75 for the purpose of the purchase of GPS (Global Positioning Satellite) units. The grant award begins on March 18, 2009 and ends on June 1, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Constables or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Constables' composite indirect cost rate at 12.1%, or \$1,803.00. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$1,803.00. Upon receipt of funds and pursuant to A.R.S. §42-17106(B), approve revenue and expenditure appropriation adjustments to the Constables (250) General Fund (100) Non-Recurring Non-Project (0001) budget in the amount of \$14,904.00 for FY 2008-09. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation; therefore, expenditure of the funds is not prohibited by the budget law. This is an adjustment to the non-operating budget and the budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The purchase of these Global Positioning Satellite units will help Constables and Deputy Constables to expedite the service of court papers and documents, resulting in a reduction for fuel costs and employee time. (C-25-09-007-G-00)

**Sheriff**

**13. DONATIONS**

In accordance with County Policy A2805, accept the monthly donation report received from Sheriff's Office for February 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-342-7-00)

**14. SALE AND TRANSFER OF EQUIPMENT TO TACTICAL SUPPORT POSSE**

Pursuant to A.R.S. 11-251 (9), approve the sale for \$3,628 of County vehicle #31434, a 2004 Ford Expedition that is designated to go to auction to the Tactical Support Posse. The amount is the average auction value of two like vehicles sold at auction in the last 8 months. **UNANIMOUS CONSENT OF THE BOARD IS REQUIRED.** (C-50-09-057-M-00)

**15. AMENDMENT TO IGA WITH THE CITY OF LITCHFIELD PARK**

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) between City of Litchfield Park and Maricopa County on behalf of the Sheriff's Office to reduce public Law Enforcement services from .91 beats to .75 beats, effective March 1, 2009. This equates to a reduction in patrol coverage by one deputy position 8 hours a day, seven days a week. If approved, the total amount payable from the Town of Litchfield Park for FY 2009 Law Enforcement Services will be \$595,917.33, \$531,962 annualized. All other terms and conditions of the Law Enforcement Intergovernmental Agreement remain in full force and effect. Also approve per A.R.S. §42-17106 reductions in Sheriff's Office FY 2009 recurring 0000 general fund (100) revenue and expenditures as follows, (\$31,978), (\$95,933) annualized. Intergovernmental Agreement revenues are not local revenues for purposes of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The 90-day notice for implementation of additions or reductions to the contract is being waived for this amendment. (C-50-08-009-2-01)

**Treasurer**

**16. TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT SUMMARY**

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for January 2009, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-09-017-7-00)

**17. TAX DEED LAND SALE**

Pursuant to A.R.S. §42-18303(E) as amended by HB2523, accept the cash offer of \$500 by Peter Dworskij on tax deed land parcel(s) 160-64-045B for which the following conditions apply:

1. Both the property offered for sale and the contiguous property were at one time under common ownership, or the property offered for sale is part of a common area maintained by a homeowners' association as determined by the County Assessor.
2. The property offered for sale cannot be separately used for residential purposes pursuant to applicable building codes and ordinances of the jurisdiction in which the property is located due to its size, configuration or recorded common area restrictions.

Date Previously Offered	Parcel No.	Purchaser / Name for the Deed	Amount of Offer	Amount of charges against the parcel
N/A	160-64-045B	Peter Dworskij	\$500	\$3,241.94

Direct that the Treasurers Office accept payment and prepare the deed to convey the property sold and deliver to the Clerk of the Board for further processing. Pursuant to A.R.S. §42-18262(A), the proceeds from the sale in the amount of \$500 will revert to the County General Fund. (C-43-09-018-8-00)

**TRIAL COURTS**

**Superior Court Judges and Commissioners**

**18. EXPENDITURE APPROPRIATION FOR PURCHASE OF INTEGRATED ON-LINE LAW LIBRARY SYSTEM**

Pursuant to A.R.S. §11-251 and by request of the Presiding Judge of the Superior Court of Arizona in Maricopa County, transfer FY 2008-09 expenditure appropriation in the amount of \$315,000 from the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to Superior Court (800) Law Library Fund (261) Non-Recurring (0001). Also decrease the FY 2008-09 revenue appropriation in the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Approval of this action will support one-time expenditures for the purchase of a next-generation integrated online library system in the Superior Court. The ongoing maintenance cost will be absorbed in the Superior Court (800) Law Library Fund (261) Operating (0000) budget in FY 2010.

The Superior Court Law Library in Maricopa County requires a new integrated library system

which provides electronic access to the records of holdings in the library as well as access to online research databases. The current integrated library system, which was purchased over 10 years ago, will cease to be supported by the current vendor in FY 2010 and is at end of its useful life. As mandated by A.R.S. §12-305, the funds in the Law Library Book Fund are for the sole purpose of "enhancing legal research capabilities in the county law library." The purchase of a new integrated library system is critical to the continued operation of the Superior Court Law Library in Maricopa County and required for the Law Library to continue its mandated operation pursuant to A.R.S. §12-305. (C-80-09-006-2-00)

## **COUNTY MANAGER**

### **Communications**

#### **19. EXECUTION COMPENSATION PACKAGE: LEAVE REQUEST**

Approve an Executive Compensation Package (ECP) for Theresa Ann Mulholland, an unclassified BOS Press Secretary in the Communications Department authorizing an award of a Schedule 4 Leave Accrual Rate effective February 9, 2009; and for Richard deUriarte, an unclassified Communications Manager in the Communications Department, authorizing a deposit of 120 hours of PTO and 80 hours of FML to his leave balance effective February 9, 2009.

If approved, this ECP agreement will award Theresa Ann Mulholland a Schedule 4 Leave Accrual Rate effective February 9, 2009; and Richard deUriarte with a deposit of 120 hours of PTO and 80 hours of FML in his leave balance. (C-71-09-003-6-00)

### **Office of Public Defense Services**

#### **20. REMOVAL OF VEHICLE DECALS AND GOVERNMENT PLATES**

Approve exemptions from markings, including the issuance of non-governmental license plates, per A.R.S. §38-538.03, for one existing vehicle designated for the Juvenile Public Defender Office.

The Juvenile Public Defender's Office requests that designated department vehicle #21603 (VIN# 3FASP13J2TR103347) be classified as unmarked so that it may be exempt from County decals and government plates. This vehicle will be used primarily for juvenile felony case investigation, witness interviews, and crime scene investigation. The nature of these activities requires the vehicles be unmarked. (C-57-09-001-V-00)

### **Office of the County Manager**

#### **21. EMPLOYEE AWARDS FOR REWARDING IDEA PROGRAM**

Authorize and approve the employee awards from the Rewarding Ideas Program in the amount of \$5,447 and present awards on April 1, 2009. The Rewarding Ideas Merit Award Board met on January 28, 2009, and approved and recommended the employee awards. (C-20-09-043-M-00)

#### **22. EXCEPTION TO MARICOPA COUNTY GRANTS POLICY**

Approve an exception to the initial application requirements of the Policy for Administering Grants A2505, as revised, for all county departments that wish to apply for Federal Stimulus funds. All departments that wish to pursue Federal Stimulus grants or other funding shall work in conjunction with the County Manager's Recovery Committee for purposes of



identifying application opportunities that would assist individual departments in carrying out their activities on behalf of the county. Any Federal stimulus funds actually awarded must be presented to the Board for approval prior to acceptance. This exception shall remain in place as long as Federal Stimulus funds are available. (C-20-09-044-2-00)

## **DEPUTY COUNTY MANAGER**

### **Office of Enterprise Technology**

**23. CONTRACT AMENDMENT WITH DEPARTMENT OF ENERGY WESTERN AREA POWER ADMINISTRATION**

Approve a contract between U.S. Department of Energy, Western Area Power Administration (WAPA), (03-DSR-11429) and Maricopa County through the Office of Enterprise Technology, for the purpose of amending the contract between WAPA and Maricopa County to extend termination date to September 30, 2012. This contract is non-financial and is effective from September 30, 2008 until September 30, 2012.

On March 3, 2004 Maricopa County and the U.S. Department of Energy Western Area Power Administration (WAPA) approved a contract (WAPA No. 03-DSR-11429 / County No. C-76-04-007-2-00) to exchange tower and building space at both Towers Mountain and Oatman Mountain. The contract allows the County to place its communication equipment within the WAPA owned site at Towers Mountain and WAPA the right to place its communications equipment within the County owned Oatman Mountain site. The contract must now be amended and approved by both parties allowing for a new contract term which will now terminate on September 30, 2012. (C-76-04-007-2-01)

### **Public Health**

**24. GRANT FUNDING FROM THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR EXPANDING DISTRIBUTION OF CHILD SAFETY SEATS**

Approve and accept grant funding from the Governor's Office of Highway Safety (2009-OP-001) to Maricopa County through its Department of Public Health for the purpose of expanding distribution of child safety seats and providing education and training on proper installation, to rural communities within Maricopa County. Grant funding is in the amount of \$20,000. The term of the grant is from January 1, 2009 through September 30, 2009. The Department of Public Health's indirect rate for FY 2008-09 is 18%. This grant deviates from County policy A2505 and does not allow for indirect cost reimbursement. Funds will be used for purchase of car seats, which is not subject to indirect cost. Therefore, indirect costs totaling \$3,600 will be unrecoverable.

Funding for this grant will be provided by a grant from the Governor's Office of Highway Safety and will not affect the County general fund. (C-86-09-047-3-00)

**25. IGA WITH CITY OF PHOENIX FOR LEAD BASED HAZARD REDUCTION PROGRAM**

Approve Intergovernmental Agreement (IGA) between the City of Phoenix and Maricopa County through its Department of Public Health to provide education, blood lead testing of children and case management as part of the Lead Based Paint Hazard Reduction Program. This IGA provides funding for a maximum amount of \$100,215 for contract term January 1, 2009 through December 31, 2010. Of this amount, \$54,177 was already included in the FY 2008-09 adopted budget. The Department of Public Health indirect rate is 18%. Full indirect costs are estimated at \$15,287 and are fully recoverable. Funding for this agreement is provided by the City of Phoenix and does not affect the county general fund budget. (C-86-09-056-3-00)

**26. AMENDMENT TO IGA WITH THE WASHINGTON SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve Amendment No. 5 to Intergovernmental Agreement (IGA) with the Washington School District to increase the contract by \$3,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health for contract period ending May 1, 2009. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$108,000 for the contract term July 1, 2006 through May 1, 2009. (C-86-07-449-2-05)

**27. IGA WITH QUEEN CREEK UNIFIED SCHOOL DISTRICT FOR HIGH SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve an Intergovernmental Agreement (IGA) between Queen Creek Unified School District and Maricopa County by and through its Department of Public Health to provide high school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$2,000 for budget period beginning December 8, 2008 through May 1, 2009. Funding for this agreement is provided by the City of Phoenix and does not affect the county general fund budget. (C-86-09-057-3-00)

**28. AMENDMENT TO IGA WITH BUCKEYE ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve Amendment No. 4 to Intergovernmental Agreement (IGA) with the Buckeye Elementary School District to increase the contract by \$1,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health for contract period ending May 1, 2009. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$21,000 for the contract term July 1, 2006 through May 1, 2009. (C-86-07-402-2-04)

**29. AMENDMENT TO IGA WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR TOBACCO EDUCATION AND PREVENTION**

Approve Amendment No. 11 to the Intergovernmental Agreement (IGA) between the Arizona Department of Health Services (HG354361) and Maricopa County through its Department of Public Health for tobacco education and prevention. This amendment replaces the Price Sheet and makes administrative changes to the previous amendment. The term of this IGA is November 1, 2008 through June 30, 2009. All other terms and conditions of the original IGA shall remain in full force and effect. Funds for this IGA are provided by ADHS and do not increase the County's general fund. (C-86-03-159-2-11)

**30. AMENDMENT TO CONTRACT WITH DELTA DENTAL OF ARIZONA FOR DENTAL INSURANCE PROGRAM**

Approve Amendment No. 2 to Contract No. C-86-08-054-1, between Delta Dental Plan of Arizona and Maricopa County through its Department of Public Health, Office of Oral Health for the provision of dental insurance services to individuals affected by HIV/AIDS. This amendment extends the date of contract to June 30, 2009. This amendment also increases the contract by \$350,000 for the budget term March 1, 2009 through June 30, 2009; bringing the aggregate total not-to-exceed amount to \$1,115,000. All other terms and conditions of the original contract shall remain in full force and effect.

Funding for this contract is provided by a grant from the federal Department of Health and Human Services, Health Resources and Services Administration (HRSA), the Ryan White (RW) Comprehensive HIV/AIDS Treatment Modernization Acts of 2006 and the Maricopa County General Government Department, Ryan White Part A Program and will not affect the

County general fund. Delta Dental is a successful respondent to a Request For Proposals (08-007) issued by the Department of Public Health on January 2, 2008. (C-86-08-054-1-02)

### **Workforce Management and Development**

**31. GRANT FOR RYAN WHITE HIV/AIDS TREATMENT MODERNIZATION ACT - PART A MINORITY AIDS INITIATIVE (MAI)**

Approve the application and acceptance of grant funds from Department of Health and Human Services, 1 H3MHA 08443-01, in the not-to-exceed amount of \$227,675 to provide funding to agencies for services to minority communities for people living with HIV/AIDS. The grant award begins on August 1, 2009 and ends on July 31, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable. \$193,524 is passed through to subrecipients and is not subject to indirect cost. The Health Care Programs indirect rate for FY 2009-10 is 14.8%. The grant allows a 10% rate for indirect costs. Indirect costs are estimated to be \$4,595, of which, \$3,105 are recoverable and \$1,490 are unrecoverable.

These funds will be included in the FY 2009-10 budget request for the Health Care Programs (390) Public Health Grant Fund (532).

Ryan White Part A Program receives funds from HRSA, under Part A of the Ryan White Treatment Modernization Act of 2006, to provide services to people infected with, or affected by HIV/AIDS. The grant provides contracts with HIV and AIDS service organizations which deliver/enhance health related and support services for HIV positive/affected persons. These services include, but are not limited to, case management, counseling, outpatient health services, food and nutrition services, legal services, transportation, and emergency financial assistance. Pursuant to federal statute, 85% of the grant funds must be passed through to contractors. The forms that require the Chairman of the Board's signature include: Certification Regarding Lobbying, FY 2010 Agreements and Compliance Assurances - Part A Grant Program, and Application for Federal Assistance SF-424. (C-31-09-011-G-00)

## **ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

### **Animal Care & Control Services**

**32. DONATION FROM FRIENDS OF ANIMAL CARE AND CONTROL**

Accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$123,445 and the Foster Program in the amount of \$3,888.55. The total donation received was in the amount of \$127,333.55 which supports one position in the Foster Program. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-075-D-00)

**33. DONATIONS FROM DRUSILLA WYLIE AND FROM SOUTHEAST VALLEY REGIONAL ASSOCIATION OF REALTORS**

Accept the monetary donations from Drusilla Wylie of Mesa, AZ in the amount of \$500; and, Southeast Valley Regional Association of Realtors of Mesa, AZ in the amount of \$2,500 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional

expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-079-D-00)

**34. AGREEMENT WITH POSH PUPPY FOR NEW HOPE PROGRAM**

Approve an Agreement between Kim Sobotka, d.b.a. Posh Puppy, 15060 N. Northsight Boulevard, Suite 101, Scottsdale AZ 85260, and Maricopa County to allow Posh Puppy under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 500 new hope rescues over the term of the agreement, for a total of \$20,000. The term of this Agreement is from March 18, 2009 through June 30, 2010. (C-79-09-076-3-00)

**35. AGREEMENT WITH ENGLISH SPRINGER RESCUE AMERICA, INC. FOR NEW HOPE PROGRAM**

Approve an Agreement between English Springer Rescue America, Inc., a 501 (C) 3 corporation, 19518 Nashville Street, Northridge, CA 91326, with local affiliates at 4437 W. Stonecreek Road, Maricopa, AZ 85239 and Maricopa County to allow English Springer Rescue America, Inc. under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 12 new hope rescues over the term of the agreement, for a total of \$480. The term of this Agreement is from March 18, 2009 through June 30, 2011. (C-79-09-077-3-00)

**36. AGREEMENT WITH ANGEL HAVEN ANIMAL RESCUE ASSOCIATION FOR NEW HOPE PROGRAM**

Approve an Agreement between Angel Haven Animal Rescue Association, a 501 (C) 3 corporation, 1990 N. Alma School Road #305, Chandler, AZ 85284, and Maricopa County to allow Angel Haven Animal Rescue Association under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 13 new hope rescues over the term of the agreement, for a total of \$520. The term of this Agreement is from April 23, 2009 through June 30, 2012. (C-79-09-078-3-00)

**Human Services**

**37. GRANT BUDGET APPROPRIATION ADJUSTMENTS**

Approve revenue and expenditure appropriation adjustments to the Human Services Grant Fund (Department 220, Fund 222) in the amount of \$674,361 as identified on the Fiscal Year 2009 Grant Summary Worksheet on file in the Office of the Clerk of the Board. The appropriation adjustment is necessary because the carry forward amounts of prior year grants and award amounts of new grants differ from the amount approved in the FY 2008-09 Budget Appropriation. This action is in accord with the action plan developed by the Office of Management and Budget and Human Services to insure compliance with the Board approved Budgeting for Results Accountability Policy. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this

budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The indirect cost rate is 15.2%, as calculated by the Department of Finance. Most of the grants for FY 2008-09 allow for indirect cost recovery, as reflected in the funding agreements. The status of the indirect costs for each grant is noted on the Grant Summary Worksheet on file in the Office of the Clerk of the Board. (C-22-09-115-M-00)

**38. AMENDMENT TO IGA WITH THE CITY OF CHANDLER (CDBG)**

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) by and between the City of Chandler by and through its Arizona Office of Neighborhood Resources and Maricopa County administered by its Human Services Department (HSD). This amendment will modify Section VIII. Personnel and Participant Conditions of the IGA. This amendment will also add Attachment C to the IGA. All other terms and conditions of the IGA remain in full force and effect. This amendment is in effect from the date of approval through June 30, 2009. (C-22-09-076-3-01)

**39. IGA WITH THE STATE OF ARIZONA FOR SPECIAL TRANSPORTATION SERVICES (JARC)**

Approve an Intergovernmental Agreement (IGA) between The State of Arizona - Job Access and Reverse Commute (JARC) and Maricopa County administered by its Human Services Department (HSD), for the provision of special transportation services. The purpose of this Agreement is for the provision of grant reimbursement for purchases of items/services shown in the section "II. Scope" for an amount not-to-exceed \$196,122. The term for this agreement is December 29, 2008 to December 28, 2009. HSD's FY 2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$25,877. (C-22-09-133-3-00)

**40. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY**

Approve Amendment No.1 to Intergovernmental Agreement (IGA) between Arizona Department of Economic Security/Employment Administration (DES/EA) and Maricopa County administered by its Human Services Department (MCHSD). This amendment acknowledges the change of location of the West Valley One Stop Career Center and increases the amount DES/EA pays on a monthly basis for co-location costs associated with the operation of the West Valley One Stop Career Center.

DES/EA will pay: \$10,971.02 for Lease, \$3,848.36 for Utilities, \$910.97 for Data Communication, monthly total is \$15,730.35. Total Amendment amount is \$188,764.20.

This is a resource sharing agreement, Indirect funds do not apply to this agreement since Indirect funds are collected from the Main DES contract. All funds collected under this agreement will be applied to the costs associated with the operation of the West Valley One Stop Career Center. This is a financial IGA and is effective upon signature of both parties and will expire on June 30, 2009. There are no County General funds associated with this IGA. (C-22-07-100-2-01)

**41. TERMINATION OF IGA WITH ARIZONA DEPARTMENT OF VETERANS' SERVICES TROOPS TO TEACHERS**

Approve the termination of the Intergovernmental Agreement (IGA) between Arizona Department of Veterans' Services (ADVS) for Troops to Teachers and Maricopa County administered by its Human Services Department (MCHSD). Pursuant to the General Terms and Conditions outlined in Exhibit 2 page 3 VI "Termination: Any Partner to this plan may withdraw from the Agreement with 60 days' prior written notice, showing reasons, to all other parties to the Agreement." The termination of the IGA is effective date is March 31, 2009.

MCHSD is in receipt of the notice by Arizona Department of Veterans' Services (ADVS) for Troops to Teachers to withdraw from the IGA. (C-22-09-068-1-01)

**42. AGREEMENT WITH NINA MASON PULLIAM CHARITABLE TRUST**

Approve an Agreement between Nina Mason Pulliam Charitable Trust and Maricopa County administered by its Human Services Department in the amount of \$162,344 for the contract period April 1, 2009 to March 30, 2010. Also approve the terms and conditions as indicated in the agreement.

The grant funding deviates from the Maricopa County Policy for Administering Grants (A2505) which requires all departments/special districts to obtain Board of Supervisors approval prior to submitting an application for grant funding. The Nina Mason Pulliam Charitable Trust identified the Maricopa County Human Services Department as a recipient of these funds without an application process and their Board approved the funds allocation on February 19, 2009, in addition the grant is advanced funding from the Grantor Agency, therefore, we are requesting Board of Supervisor approval to accept these funds. The Department of Human Services indirect rate for FY 2008-2009 is 15.2%. No indirect is recoverable. The total grant amount of \$162,344 is for sub recipient and is not subject to indirect. The amount of \$81,172 is to be expended in FY 2009 and the remaining of \$81,172 is to be expended in FY 2010.

Funds for this Agreement are provided by a grant from the Nina Mason Pulliam Charitable Trust and do not increase the County's general fund. (C-22-09-136-3-00)

**43. HEAD START/EARLY HEAD START SUPPLEMENTAL FUNDING (AMERICAN RECOVERY AND REINVESTMENT ACT)**

Approve the application of the first round of American Recovery and Reinvestment Act grant funds in an amount not-to-exceed \$1,500,000. This supplemental grant is from the Department of Health and Human Services (DHHS)/Administration for Children and Families (ACF), Office of Head Start (OHS), (09CH7096). These funds support the base Head Start/Early Head Start grant in the areas of cost-of-living adjustments (COLA), quality improvements, and/or training and technical assistance. The Maricopa County Head Start Zero-Five Program expects the grant award will begin on July 1, 2009 and end on June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable. Human Services Department indirect rate is 15.2%. Grant indirect expenses are fully recoverable and are estimated to be approximately \$197,917. Any supplemental funds received will adjust the base budget using a budget true up.

The American Recovery and Reinvestment Act (ARRA) allocates \$2.1 Billion over the next two years for Head Start/Early Head Start programs across the nation. Discussion regarding ARRA funds distribution was conducted during the MARICOPA COUNTY FY2009-10 HEAD START/EARLY HEAD START FUNDING PRESENTATION. This is the first of several anticipated supplemental funding opportunities from the American Recovery and Reinvestment Act. Maricopa County's first distribution will include funding for a 4.9 percent cost-of-living adjustment, quality improvements, and training and technical assistance. Additional ARRA funds are to be allocated for Head Start and Early Head Start expansion in the near future. Office of Head Start (OHS) will offer these supplemental funds with a short turn-around time of 4 to 6 weeks for application submission. OHS requires the BOS review and approve all grant applications prior to submission and that the BOS Chairman sign all grant applications, as well as amendments to grant applications, which is why the program is requesting advance approval to apply for these funds. All overhead/indirect costs are allowable and the FY2009-10 authorized rate will be applied to the grant. Any supplemental funds awarded require a 25 percent match, which will be provided through in-kind donations. The matching funds do not include any Maricopa County General Funds. Funds received will be shared with the delegate agency, Catholic Charities. (C-22-09-137-G-00)

**44. AMENDMENT TO CONTRACT WITH ARIZONA WOMAN'S EDUCATION AND EMPLOYMENT, INC.**

Approve Amendment No. 2 to the contract by and between Arizona Woman's Education and Employment, Inc., (AWEE) and Maricopa County administered by its Human Services Department (HSD). This amendment will modify the maximum compensation that will be paid to Special Transportation Services (STS) from \$20,000 to \$10,000. This amendment will also change the program contact for STS's Worklinks program to Aaron Roth and extend the service period from January 1, 2009 to December 31, 2009. The contract term as stated in Amendment 1, was to expire on December 31, 2008. All other terms and conditions of the contract remain in full force and effect. The indirect will be reduced by \$1319 as a result of the reduction in funding. Total indirect to be collected will be \$1319. This amendment is in effect from January 1, 2009 through December 31, 2009. (C-22-08-109-3-01)

**45. AMENDMENT TO CONTRACT WITH PIMA PREVENTION PARTNERSHIP**

Approve Amendment No. 2 to a Contract between Pima Prevention Partnership (C-22-08-129-1-00) and Maricopa County through the Human Services Department to increase the contract amount to \$424,544 and the number of service delivery units to 1,500. This amendment is effective from September 30, 2008 to September 29, 2009. All other terms and conditions of the Contract remain in full force and effect.

Maricopa County Head Start Zero-Five Program is the recipient of a five-year Healthy Marriage Initiative grant. The contract amendment uses \$87,944 carried forward from Year 1 of the grant from U.S. Department of Health and Human Services (DHHS)/Administration for Children and Families (ACF), (C-22-08-128-3-00). Pima Prevention Partnership (PPP) is the contracted service provider for the grant funds. (C-22-08-129-1-02)

**46. MARICOPA COUNTY FY 2009-10 HEAD START/EARLY HEAD START BASE FUNDING**

Approve the application and acceptance of grant funds from U.S. Department of Health and Human Services (DHHS)/Administration for Children and Families (ACF), Office of Head Start (OHS), (09CH7096), in the not-to-exceed amount of \$19,002,361 for the purpose of promoting school readiness for 2,382 children in the Maricopa County Head Start Zero-Five Program. The grant award begins on July 1, 2009 and ends on June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The sub-recipient (delegate) of this grant receives \$7,127,017 of the total grant funds. Human Services Department indirect rate for FY2008-09 is 15.2% and is estimated to remain at 15.2% for FY2009-10. Indirect expenses will not exceed \$1,566,886 and are fully recoverable. Grant indirect expenses may be incurred by the Human Services Department or Maricopa County for the administration of this grant. The FY2009-10 budget request will include revenues and expenditures of \$19,002,361.

This grant will allow the Maricopa County Head Start Zero-Five Program to continue serving 2,382 low-income children (2,193 in Head Start and 189 in Early Head Start), which is the same number served in FY2008-09. The Office of Head Start requires the BOS Chairman sign all grant applications, as well as amendments to grant applications, which is why the program is requesting advance approval to apply for these funds. The base funds are awarded only three to seven days prior to the start of the grant period, which is the reason for the advance approval to accept the funds. Amendments are required if the program needs to transfer funds between budget line items in an aggregate amount of \$250,000 or more. All overhead/indirect costs are allowable and the FY2009-10 authorized rate will be applied to the grant. The federal funds awarded require a 25 percent match (\$4,750,590), which is provided through in-kind donations. The grant and matching funds do not include any Maricopa County General Funds. (C-22-09-134-G-00)

**CHIEF FINANCIAL OFFICER**

**Finance**

**47. FUNDS TRANSFERS; WARRANTS**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

**48. ASSISTANCE PACKAGE INTERGOVERNMENTAL AGREEMENT AND PROMISSORY NOTE FOR THE CHANDLER COUNTY ISLAND FIRE DISTRICT**

Approve the Assistance Package Intergovernmental Agreement and Promissory Note in the amount of \$35,000 for the Chandler County Island Fire District effective upon signature of the Chairman of the Board of Supervisors. Pursuant to A.R.S. §42-17106(B), transfer expenditure appropriation of \$35,000 from Non-Departmental (470) General Fund (100) General Contingency (4711) Non-recurring (0001) to a new line in Non-Departmental (470) General Fund (100) Other Programs (4712) Non-Recurring (0001) entitled, "Chandler County Island Fire District". Promissory Note payable when the District receives its property tax revenues or establishes a line of credit, whichever occurs first.

The Chandler County Island Fire District was formed on November 18, 2008 (C-06-08-074-7-00), and is a special taxing district that will provide fire and emergency medical services to the county island residents who live within the municipal planning area of the City of Chandler. The loan will be used to pay the Chandler County Island Fire District's Insurance Premium and will be repaid by the District when it establishes a line of credit. This item was continued from the February 25, 2009 meeting.  
(C-18-09-040-2-00)

**49. AMENDMENT TO LICENSE AGREEMENT WITH DISCOVERY WEST RANCHES PARTNERS**

Approve and execute the first amendment to License Agreement with Discovery West Ranches Partners, Licensee, to allow continued farming the Southwest Regional Justice Center vacant property.

The County will receive a nominal annual fee of \$10.00 and other considerations such as weed/dust control in exchange for the right of the Licensee to farm the site. The term will commence July 1, 2009 and terminate June 30, 2010. The County may terminate the agreement by giving the Licensee a six-month written termination notice. (C-18-08-036-B-01)

**50. AMENDMENT TO IGA WITH THE TOWN OF GILBERT FOR USE OF A COUNTY-OWNED PARCEL OF LAND KNOWN AS THE "GILBERT RODEO GROUNDS"**

Approve a Fourth Amendment to an Intergovernmental Agreement (IGA) G30107 with the Town of Gilbert (Town) for use of a County-owned parcel of land known as the "Gilbert Rodeo Grounds" located near Val Vista Drive and Ray Road, in the Town of Gilbert. This Fourth Amendment provides an additional 12-month extension of the term that will expire on February 15, 2010. The Town will pay a nominal fee of \$10.00 for use of the subject site during the 12-month extension period. The Facility Review Committee endorses the proposed Fourth Amendment. (C-18-08-003-2-03)



**51. SALE OF REAL PROPERTY OF THE AVONDALE FAMILY HEALTH CLINIC TO THE CITY OF AVONDALE**

Deem as advantageous for Maricopa County to sell, and authorize and approve the sale of, approximately 450 square feet of real property (30' X 30' triangle), at the Avondale Family Health Clinic located at the northwest corner of Van Buren and Eliseo Felix Jr. Way, to the City of Avondale for the purchase price of \$8,650.00, and authorize the Chairman to execute all necessary documents approved by County Counsel for the sale of the property. The Facilities Review Committee supports the sale of the property.

On August 20, 2008, the Board of Supervisors granted a Right of Entry (C-18-09-012-8-00) to the City to begin construction of the traffic signal and negotiations for the purchase of the subject property. The City of Avondale has made a written offer to purchase the 450 square feet for \$8,650.00. This agenda item will authorize the selling of the property for the installation and maintenance of a traffic signal at the intersection of Van Buren and Eliseo Felix Jr. Way and will authorize the Chairman to execute all necessary documents approved by County Counsel to sell the property. This item was continued from the February 25, 2009 meeting. **THIS ITEM REQUIRES A UNANIMOUS APPROVAL OF THE BOARD OF SUPERVISORS.** (C-18-09-043-8-00)

**52. FACILITIES USE AGREEMENT WITH THE ARIZONA BOARD OF REGENTS, AN AGENCY OF THE STATE OF ARIZONA, FOR AND ON BEHALF OF THE UNIVERSITY OF ARIZONA**

Pursuant to A.R.S. §11-251(9), approve a Facilities Use Agreement (G-30119) between Maricopa County and the Arizona Board of Regents, an agency of the State of Arizona, for and on behalf of the University of Arizona and its College of Medicine (the "University") for the use of Maricopa County property as a gross anatomy teaching lab at the Forensic Science Building located at 701 W. Jefferson Street in Phoenix.

This Facilities Use Agreement (G-30119) will allow the University to reconfigure and use approximately 1,000 square feet of vacant space in the Forensic Science Building to conduct gross anatomy classes. In addition, this agreement will allow the University the use of up to 60 parking spaces in the adjacent parking structure if parking spaces are available. The effective date of the Agreement is upon execution by the parties and will terminate June 30, 2012, unless extended by the University, at Maricopa County's sole discretion, through three one-year renewal options. With prior written notice, Maricopa County may reduce the number of parking spaces in the Forensic Science Garage made available to the University. The University will reimburse Maricopa County \$12,000 per year for the use of the lab space and \$35 per month per parking space for the use of parking spaces at the Forensic Science Garage. The University is responsible for all costs associated with the reconfiguration of the lab space and for all utility, operating, and maintenance costs associated with the University's use of the lab space. **THIS ITEM REQUIRES A UNANIMOUS APPROVAL OF THE BOARD OF SUPERVISORS.** (C-18-09-044-1-00)

**53. POWER DISTRIBUTION EASEMENT FOR ELECTRICAL SERVICE FOR THE NEW VISITORS CENTER AT USERY MOUNTAIN REGIONAL PARK**

Approve and authorize the granting of a Power Distribution Easement, without a public auction pursuant to A.R.S. 11-251 (9), to Salt River Project Agricultural Improvement and Power District (SRP), its successors and assigns, in consideration of \$1.00, to construct, operate, and maintain overhead and underground electric lines and appurtenant facilities to provide electrical service for the new Visitors Center at Usery Mountain Regional Park, and authorize the Chairman to execute the necessary Power Distribution Easement. This item was endorsed by the Facility Review Committee on February 24, 2009. **THIS ITEM REQUIRES THE UNANIMOUS CONSENT OF THE BOARD.** (C-18-09-045-8-00)

## **Materials Management**

### **54. SOLICITATION SERIALS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

#### **a. 05168-C, TRAFFIC SIGNAL HEADS & COMPONENTS**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: Expiration Date: April 30, 2012

##### **Serial: 05168-C**

Item: Traffic Signal Heads & Components (\$600,000 estimate/three years) Price agreement renewal for the purchase of traffic signal heads and components for installation/repair of County installed traffic signals. (C-73-09-059-7-00)

- **Brown Wholesale Electric**

#### **b. 04178-C, WATER TRUCK TANK AND SPRAY SYSTEMS**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments.

##### **Serial: 04178-C**

Item: Water Truck Tank and Spray Systems (\$142,000) Increase price agreement value from \$185,000 to \$327,000. This \$142,000 increase is being requested by Equipment Services to purchase a replacement water tank, parts and installation services for existing water trucks in their fleet. Materials Management approved the initial price agreement on December 1, 2004 and subsequent price agreement renewal on November 29, 2007. This price agreement has an expiration date of December 31, 2010. (C-73-09-058-7-00)

- **United Truck & Equipment**

## **Parks and Recreation**

### **55. TRANSFER FUNDING FOR THE PURCHASE OF STATE LAND FOR THE MARICOPA TRAIL**

1. Transfer expenditure authority from Non-Departmental (470) Non-Departmental Grants Fund (249) Non-recurring/Non-Project (0001) to Parks and Recreation (300) Parks Donation Fund (243) Non-recurring/Non-Project (0001) in the amount of \$160,833.

2. Create a project in Non-Departmental (470) Intergovernmental Capital Projects Fund (422) entitled "Maricopa Regional Trail System" (MRTS).

3. Authorize a Fund Transfer from Parks and Recreation (300) Parks Donation Fund (243) Non-recurring/Non-Project (0001) to the newly created line item entitled "Maricopa Regional Trail System" in Non-Departmental (470) Intergovernmental Capital Projects Fund (422) Maricopa Regional Trail System" (MRTS) in the amount of \$160,833 with offsetting adjustments to Eliminations Department (980) Eliminations Fund (900).

4. Transfer expenditure authority from Non-Departmental (470) General Fund County Improvement Fund (445) Maricopa Regional Trail System (MRTS) to Non-Departmental (470) Intergovernmental Capital Projects Fund (422) newly created line item "Maricopa Regional Trail System" (MRTS) in the amount of \$160,833.

5. Authorize a Fund Transfer from Non-Departmental (470) General Fund County Improvement Fund (445) Maricopa Regional Trail System" (MRTS) to Non-Departmental (470) General Fund (100) Non-recurring/Non-Project (0001) in the amount of \$160,833 with offsetting adjustments to Eliminations Department (980) Eliminations Fund (900).

6. Approve the reduction of the project titled "Maricopa Regional Trail System" in the Non-Departmental (470) General Fund County Improvement Fund (445) Maricopa Regional Trail System (MRTS) line item in the amount of \$160,833. This reduces year 1 (FY 2008-09) from \$1,692,086 to \$1,531,253 and the total project in Non-Departmental (470) General Fund County Improvement Fund (445) Maricopa Regional Trail System (MRTS) to \$4,839,167.

These adjustments result in a net impact of zero and do not change the duly adopted budget as approved by the Board of Supervisors pursuant to A.R.S. §42-17105.

Agenda item C-30-03-028-B-02 granted Parks the authority to purchase/bid \$340,815.00 for Section 14 of the Maricopa Trail at auction on April 21st, 2009. This authority would use the project funds in Non-Departmental (470) General Fund County Improvement Fund (445) Maricopa Regional Trail System (MRTS). Recent developments have shown that this parcel qualifies for using donated funds from Del Webb/Anthem that reside in Parks and Recreation (300) Donation Fund (243). (C-30-09-021-2-00)

## **ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

### **Air Quality Department**

#### **56. SALE AND OPERATING TRANSFER OF VEHICLES**

1. Approve the sale and operating transfer of two vehicles from the Air Quality Department (850) Air Quality Fees Fund (504) to the Environmental Services Department (880) Environmental Grant Fund (505).

2. Approve the sale and operating transfer of four vehicles from the Air Quality Department (850) Air Quality Fees Fund (504) to the Environmental Services Department (880) Environmental Health Fund (506).

3. Approve a reduction in the County fleet of three vehicles as three of these six vehicles are being used to replace vehicles rather than purchasing new vehicles as replacements.

Pursuant to A.R.S. 42-17106(B), approve an FY 2008-09 fund transfer of \$27,525 from the Environmental Services Department (880) Grant Fund (505) to the Air Quality Department (850) Air Quality Fees Fund (504). This requires an increase to the FY 2008-09 Air Quality Department (850) Air Quality Fees Fund (504) Non Recurring Non Project (0001) revenue appropriation of \$27,525, and an increase to the FY 2008-09 Environmental Services Department (880) Grant Fund (505) Non Recurring Non Project (0001) expenditure appropriation of \$27,525, and offsetting expenditure and revenue adjustments in Eliminations (980) Eliminations Fund (900) Non Recurring Non Project (0001). Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Pursuant to A.R.S. 42-17106(B), approve an FY 2008-09 fund transfer of \$55,525 from the Environmental Services Department (880) Environmental Health Fund (506) to the Air Quality Department (850) Air Quality Fees Fund (504). This requires an increase to the FY 2008-09 Air Quality Department (850) Air Quality Fees Fund (504) Operating (0001) revenue appropriation of \$55,525, and an increase to the FY 2008-09 Non Departmental (470) Non Departmental Grant Fund (249) Non Recurring Non Project (0001) Potential Fee Increases line expenditure appropriation of \$55,525, and offsetting expenditure and revenue adjustments in Eliminations (980) Eliminations Fund (900) Non Recurring Non Project (0001). The net financial impact to the County is zero. (C-85-09-014-V-00)

Environmental Services will acquire six vehicles as follows:

Equipment Number/Description/Sales Price (Environmental Services Fund)  
21813/2008 Ford Focus Sedan Compact 4Dr/ \$11,150 (506)  
71835/2008 Ford Ranger 4x4 Pickup Truck/ \$16,400 (506)  
21814/2008 Ford Focus Sedan Compact 4Dr/ \$11,575 (506)  
71831/2008 Ford Ranger 4x4 Pickup Truck/ \$16,400 (506)  
71836/2008 Ford Ranger 4x4 Pickup Truck/ \$16,075 (505)  
21818/2008 Ford Focus Sedan Compact 4Dr/ \$11,450 (505)

Environmental Services is replacing the following the following vehicles:

Equipment Number/Description (Environmental Services Fund)  
21750/1997 Ford Escort Sedan Compact 4 DR (506)  
82101/2001 Chevrolet Cavalier Sedan Compact 4DR (506)  
31052/2000 Ford F150 4x4 Pickup Truck (506)

## **Emergency Management**

### **57. EMERGENCY ALERT SYSTEMS PLAN**

Approve the Maricopa County/Pinal County Local Area plan for the Emergency Alert Systems (EAS). The Chairman of the Board of Supervisors will sign the plan for Maricopa County; other signatories are the Chairman of the Pinal Board of Supervisor, the National Weather Service, the three local primary radio stations, and the co-chairs of the Arizona State Emergency Communications Committee. The plan will be valid until superseded by an updated version. There is no cost to the county, and no revenue being generated.

The Emergency Alert System (EAS) is a Federal Communications Commission sponsored program that uses commercial radio and television stations to quickly inform the public about severe weather and other disasters that may threaten their safety. The plan provides guidance for implementing and broadcasting EAS messages in Maricopa County and northwest Pinal County. The plan updates the previous EAS plan with two changes: Added the frequency of the EAS state relay, and took all telephone numbers out of the plan and listed them in an addendum. (C-15-03-006-0-03)

## **ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

### **Public Works**

### **58. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-09-349-7-00)

**59. ADJUSTMENT TO FY 2008-09 TRANSPORTATION CAPITAL PROJECTS FUND**

Approve the addition of the following projects to an approved capital project bin in the Public Works Department (910) Transportation Capital Projects Fund (234):

Project # Project Name Bin  
T068 ELLSWORTH GERMAN - BASELINE ARTS  
T114 CHAND HGTS AT SANOKI WASH BRIG  
T180 COTTON LN BRIDGE @ GILA RIVER BRIG  
T219 MINGUS AT 25TH AVENUE BRIG  
T046 PM10: (PH4) IN SE VALLEY DMIT  
T108 MCDOWELL: SHOULDERS WIDENING DMIT  
T275 MERIDIAN RD PSUP  
T102 WILLIAMS FLD AT HIGLEY TIMP  
T216 PINNACLE PK AT 83RD & 91ST AVE TIMP  
T233 CAMINO DEL SOL AT SPANISH GDN TIMP  
T256 NORTHERN AVE AT EL MIRAGE RD TIMP  
T258 DEL WEBB BLVD AT 99TH AVE TIMP  
T267 CAREFREE HWY AT 7TH STREET TIMP

This action is necessary due to the fact that the above projects were expected to be completed in FY08 but experienced contract carry-overs received in FY 2008-09. Because they were not placed in an FY 2008-09 Project Bin, it is necessary to do so now.

In addition, approve the following projects to be included in the associated capital project bin in the Public Works Department (910) Transportation Capital Projects Fund (234).

Project # Project Name Bin  
T058 ESTRELLA INTERIM LOOP 303II ARTS  
T062 ELLSWORTH: UIV - MCLELLAN ARTS  
T081 GILBERT RD:MCDOWELL - SR 87 ARTS  
T124 PNCL PK: LK PLEASNT - 83RD AVE ARTS  
T056 115TH AVE BRIDGE AT GILA RIVER BRIG  
T072 MC85 AT AGUA FRIA/BRIDGE SCOUR BRIG  
T193 DESERT HILLS @ SKUNK CREEK BRIG  
T253 RAINBOW RD BRIDGE:BUCKEYE CNL BRIG  
T028 PM10 PROGRAM DMIT  
T047 PM10: (PH4) IN NORTH VALLEY DMIT  
T183 OLD STAGE: N RVR - COYOTE PASS DMIT  
T265 43RD AVE: SOUTHERN TO BROADWAY DMIT  
T025 BELL RD: SR 303 -L101 ITS IMP INTL  
T204 AZTECH SMART CORRIDORS PH III INTL  
T286 SUN VALLEY PKWAY PVMNT REPAIR PAVE  
T143 POWER RD: ELLIOT TO GUADALUPE PSUP  
T189 APACHE BL BRIDGE/TEMPE CANAL PSUP  
T223 OLIVE AT REEMS PSUP  
T120 BELL RD AT R H JOHNSON SAFE  
T235 UNION HILLS MULTI-USE PATH SAFE  
T156 CHANDLER HTS RD @ 124TH ST TIMP  
T158 LOWER BUCKEYE RD @ 67TH AVE TIMP  
T227 MEEKER AT CAMINO DEL SOL TIMP  
T232 R H JOHNSON AT MEEKER TIMP  
T236 SIGNAL MODERNIZATION SC 1 TIMP  
T255 NORTHERN AVE AT REEMS RD TIMP  
T257 OLIVE AVE AT 114TH AVE TIMP  
T260 BROWN ROAD AT SIGNAL BUTTE RD TIMP  
T264 UNION HILLS DRIVE AT 99TH AVE TIMP

The above projects were also not included in FY 2008-09 Project Bins but the potential exists that they too may experience charges in FY 2008-09. For this reason, the Office of Management and Budget (OMB) suggests that they be placed in FY 2008-09 Project Bins at this time.

Also, approve the following projects to be included in the associated capital project bin in the Public Works Department (910) Transportation Capital Projects Fund (234).

T310 BUCKEYE RD:WINTERSBURG-35TH AV SAFE  
T311 LOWER BUCKEYE RD:SALOME-339TH SAFE  
T312 NEW RIVER RD:S CURVS-W FIG SPR SAFE

These projects were identified for safety improvements after the adoption of the FY 2008-09 Budget. This request establishes the projects above and allocates each one into a capital project bin where funding is available at the levels required for FY 2008-09.

These additions result in a net impact of zero and do not change the duly adopted budget as approved by the Board of Supervisors. (C-91-09-121-2-00)

**60. ARIZONA ASSOCIATION OF COUNTY ENGINEERS (AACE) YEAR 2008 ROADWAY NEEDS STUDY UPDATE**

Approve and authorize the Maricopa Department of Transportation (MCDOT) to act as the Lead Agency for the Arizona Association of County Engineers (AACE) 2008 Roadway Needs Study Update (Study). The total cost of the Study is estimated to be \$58,164. The cost of the Study will be shared with other counties in Arizona. MCDOT's share of the cost is estimated to be \$21,423. The County Supervisor's Association will be responsible for collecting the balance estimated to be \$36,741 from the other counties and forwarding reimbursement to MCDOT.

The 2008 Roadway Needs Update Study will be the fifth in a series of studies that began with the 1994 Roadway Needs Study of the Arizona Association of County Engineers (AACE). Updates occurred in 1997, 2000, and 2004. MCDOT has been asked to oversee this update. The project approach to address county roadway needs will be very similar to the approach used in 2004 where the five and ten year totals of needed expenditures in seven operational categories that encompass the range of county road responsibilities were determined. The seven operational categories are: (1) repair and replacement for existing bridges; (2) maintenance for existing roads; (3) operating costs; (4) upgrading existing roads; (5) safety need; (6) new bridges on existing roads; (7) new roads. Supervisory Districts 1, 2, 3, 4 and 5. (C-91-09-132-M-00)

**61. DECLARE AS EXCESS AND SELL EXCESS PARCEL**

Pursuant to A.R.S. §11-251, declare as excess land and authorize the Maricopa County Department of Transportation (MCDOT) to sell the parcel as described below at public auction or in the event of a sale to a municipality, at market value without an auction to reduce Department liability and maintenance, and generate revenue for future projects. The sale documents will be processed and signed by the Board at the time of the sale.

The parcel is described as a portion of MCDOT Parcel #W2-0002, APN # 304-55-008D, approximately 3.2003 acres. This parcel was acquired as part of the Lindsey Road, Germann Road to Williams Field Road project, and the parcel is south of the 202 San Tan freeway and North of Germann Road on the west side of Lindsey Road. The estimated value of the parcel is \$20,000 and is located in Supervisorial District No. 1.

MCDOT utilizes its disposition program on all excess properties and evaluates and analyzes them for the best potential of sales or leasing depending upon current market information. The sale price of the property will be market value, to be determined by a certified licensed

appraiser. (C-91-09-130-8-00)

**62. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF GILBERT**

Pursuant to A.R.S. § 9-471(N), approve the annexation by the Town of Gilbert of County right-of-way within: Greenfield Road from Chandler Heights Rd to Lonesome Lane and Chandler Heights Road from 660 feet West of Greenfield Road to Greenfield Road, in accordance with Ordinance No. 2207. (Supervisory Districts No. 1) (C-91-09-135-M-00)

**63. IGA AMONG THE CITY OF PEORIA, MARICOPA COUNTY, AND THE FLOOD CONTROL DISTRICT FOR PINNACLE PEAK ROAD CHANNEL 99TH AVENUE TO THE AQUA FRIA RIVER PROJECT**

Approve Intergovernmental Agreement (IGA) FCD 2008A013, Pinnacle Peak Road and Channel – 99th Avenue to the Agua Fria River Project (Project), among the City of Peoria (City), Maricopa County acting through its Department of Transportation (MCDOT), and the Flood Control District of Maricopa County (District). This IGA is for cost sharing of the Project design, rights-of-way acquisition, and utilities relocation. The estimated total Project cost is \$6,800,000, with \$2,400,000 being the cost to the District and \$4,400,000 being the cost to Peoria. This Agreement will become effective as of the date it has been executed by all parties. This Agreement expires ten (10) years from the date of recording with the County Recorder or upon completion of the Project.

The Glendale/Peoria Area Drainage Master Plan Update (ADMPU) was completed by the District and identified flooding problems in the northwest Peoria area and recommended solutions to provide flood protection to properties west and south of 99th Avenue and Pinnacle Peak Road and safely convey the 100-year flood flows to the Agua Fria River. This Project was among these recommended solutions. A corresponding agenda item is listed on the Flood Control District Agenda under C-69-09-055-3-00. This Project is located in Supervisorial District 4. (C-91-09-142-M-00)

## **BOARD OF SUPERVISORS**

**Clerk of the Board**

**64. APPOINTMENT TO THE TRAVEL REDUCTION PROGRAM REGIONAL TASK FORCE**

Approve the appointment of Hilary Heller to the Travel Reduction Program Regional Task Force as nominated by Supervisorial District 1. The term of the appointment will be effective as of the date of Board approval through January 31, 2011. (C-06-09-329-9-00)

**65. REAPPOINTMENT TO THE CITIZEN'S AUDIT ADVISORY COMMITTEE**

Approve the reappointment of Matthew Breecher to the Citizen's Audit Advisory Committee as nominated by District 3. The term of the appointment will be effective April 17, 2009 to April 16, 2011. (C-06-09-326-9-00)

**66. RESCIND APPOINTMENT OF TRAVEL REDUCTION PROGRAM REGIONAL TASK FORCE CHAIRMAN**

Rescind the January 5, 2009 appointment (C-85-09-012-9-00) of Daniel Mather, representing District 3, as Chairman of the Travel Reduction Program Regional Task Force. Pursuant to A.R.S. §49-582, the task force shall nominate a chairman for the Task Force who is then officially appointed by the Board.

The Travel Reduction Program Regional Task Force has voted to rescind a previous vote to

correct a procedural error in nominating Daniel Mather as Chairman of the Task Force. Per A.R.S. §49-582, the TRP program is required to have a task force representing the interests affected by the travel reduction program. Members must be selected from major employers, transportation management associations, business parks, industrial parks, office buildings, shopping centers or other concentrations of commercial interests, or public interest groups established to address transportation or air quality issues or political subdivisions. (C-85-09-012-9-01)

**67. APPOINTMENT OF TRAVEL REDUCTION PROGRAM REGIONAL TASK FORCE CHAIRMAN**

Approve appointment of Daniel Mather, representing District 3, as Chairman of the Travel Reduction Program Regional Task Force. Pursuant to A.R.S. §49-582, the task force shall nominate a chairman for the Task Force who is then officially appointed by the Board.

The Travel Reduction Program Regional Task Force voted to nominate Daniel Mather as Chairman of the Task Force. Per A.R.S. §49-582, the TRP program is required to have a task force representing the interests affected by the travel reduction program. Members must be selected from major employers, transportation management associations, business parks, industrial parks, office buildings, shopping centers or other concentrations of commercial interests, or public interest groups established to address transportation or air quality issues or political subdivisions. (C-85-09-015-9-00)

**SETTING OF HEARINGS**

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

**Public Works**

- 68.** Set a public hearing to declare the following roads into the county highway system for 9:00 am, Wednesday, April 15, 2009.

**a. ROAD FILE 5808**

Adopt a Resolution setting hearing on Road File No. 5808 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and El Mirage Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-131-M-00)

**b. ROAD FILE NO. 5809**

Adopt a Resolution setting hearing on Road File No. 5809 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: El Mirage Road and Pinnacle Peak Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4. (C-91-09-136-M-00)



## **CONSENT AGENDA**

### **Clerk of the Board**

#### **69. ARIZONA POLLUTION CONTROL CORPORATION REVENUE REFUNDING BONDS**

Approve a Resolution approving the Proceedings of Maricopa County, Arizona Pollution Control Corporation for the issuance of not-to-exceed \$100,600,000 Pollution Control Revenue Refunding Bonds (El Paso Electric Company Palo Verde Project) to be issued in one or more series. (ADM5134) (C-06-09-334-4-00)

#### **70. CANVASS OF ELECTIONS**

Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's Office. (C-06-09-339-7-00)

#### **71. DUPLICATE WARRANTS**

Pursuant to A.R.S. §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-09-340-7-00)

#### **72. MARKET RANGES**

Pursuant to A.R.S. §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-343-7-00)

#### **73. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Supervisors' meetings held October 1, 2008; November 6, 2008; November 24, 2008; December 1, 2008; December 3, 2008; December 17, 2008; December 18, 2008; January 5, 2009; January 14, 2009; and January 28, 2009. (C-06-09-322-7-00)

#### **74. PRECINCT COMMITTEEMEN**

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-09-344-7-00)

#### **75. SECURED TAX ROLL CORRECTIONS**

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-09-345-7-00)

#### **76. SETTLEMENT OF PROPERTY TAX CASES**

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated March 18, 2009. List is on file in the Clerk of the Board's Office. (C-06-09-347-7-00)

**77. TAX ABATEMENTS**

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-346-7-00)

**BOARD OF SUPERVISORS ADDENDUM**

**SETTING OF PUBLIC HEARING**

~The following hearing will be held at 9:00 am, 205 W. Jefferson, Phoenix, Arizona~

**Clerk of the Board**

**A-1. PUBLIC SERVICE FRANCHISE - NEWPATH NETWORKS**

Pursuant to A.R.S. §40-283, set a public hearing for Wednesday, April 15, 2009, to solicit comments and consider the application by Newpath Networks, for a public service franchise for a residential wireless communications system. The hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, the franchise will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. Upon approval, authorize the Chairman to sign the Franchise Resolution. (C-06-09-330-L-00)

**County Attorney**

**A-2. MARICOPA COUNTY V. GATEWAY AIRPARK DEVELOPMENT, L.L.C, TX2008-000363**

Authorize dismissal of the appeal of the State Board of Equalization decision in Maricopa County v. Gateway Airpark Development, L.L.C., TX2008-000363, as discussed in Executive Session on March 16, 2009. (C-19-09-044-M-00)

**A-3. MITCHELL AND LYDIA SWEET BANKRUPTCY CASE NO. 2-08-BK-12520-GBN; AND MSA SOLUTIONS I, INC. AND MSA SOLUTIONS, LLC**

Authorize a private sale of certain personal property of MSA Solutions I, Inc. and MSA Solutions, LLC, located at 1401 S. 52nd St. Ste. 150, Tempe, Arizona, pursuant to A.R.S. §42-19114 to be conducted following the Sheriff's sale of this property. The authorization for the private sale is contingent upon the County taking title to this property at the Sheriff's sale. The private sale is to be conducted by Sierra Auctions, consistent with the terms of its contract with Maricopa County. This matter was discussed in Executive Session on March 16, 2009. (C-19-09-045-M-00)

**Management and Budget**

**A-4. AMEND POST EMPLOYMENT HEALTH PLAN ENHANCEMENT PROGRAM**

Amend Agenda C-49-09-050-6-00 to modify the following in the attachment:

FROM:

Eligibility:

4. The employee must be a contributing member under ASRS, PSPRS, EORP or CORP.

TO:

Eligibility:

4. The employee must be a contributing member under ASRS, PSPRS, EORP, CORP or PORP.

PORP was inadvertently left off as an eligible retirement system in the attachment. (C-49-09-050-6-01)

**Sheriff**

**A-5. AMENDMENT TO INTERAGENCY AGREEMENT WITH CENTRAL ARIZONA WATER CONSERVATION DISTRICT FOR HELICOPTER FLIGHT SERVICES AND HELICOPTER FACILITY USE LICENSE**

Approve Amendment No. 2 to the interagency agreement with Central Arizona Water Conservation District (CAWD) that extends the term for a period of six months, beginning April 2, 2009 through October 1, 2009.

This agreement exchanges 150 hours of Sheriff's helicopter flight service for a helicopter facility use license that entails 3.3 acres with office and hangar space located at 23636 N. 7th Avenue. All other terms and conditions remain the same. (C-50-99-108-2-02)

**Superintendent of Schools**

**A-6. SOLE SOURCE CONTRACT WITH WINDSOR MANAGEMENT**

Approve the Sole Source Contract (Contract #09028-SS) with Windsor Management for support, maintenance and licensing of the Infinite Visions Edition applications. Infinite Visions Enterprise Edition is the application provided by the Superintendent of Schools Department for 38 school districts within Maricopa County to manage their individual districts' finances. This is a renewal of the original five (5) year contract (Contract #09028) which expires on March 31, 2009. This sole source is estimated at \$776,874.

Funding for the five (5) year renewal contract amount of \$776,874 was approved at the Board of Supervisors' (BOS) meeting held on January 14, 2009. Pricing of the five (5) year contract is based on the original ADM (in 2004) with a five (5) percent discount for pre-paying the entire contract period.

The support, maintenance and licensing of the Infinite Visions Enterprise Edition is a sole source, which has been approved by the Superintendent of Schools (SOS), Office of Management and Budget (OMB), and Office of Enterprise Technology (OET). The contract was prepared by Materials Management. The term of the contract is for five (5) years beginning the 1st day of April, 2009 and ending the 31st day of March, 2014. This sole source procurement was publicly advertised from February 12, 2009 through February 26, 2009, and was conducted in accordance with the Maricopa County Procurement Code and the County's Sole Source Procedure. (C-37-09-011-3-00)

**IMPROVEMENT DISTRICT AGENDA**

**I-1. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Improvement District Board of Directors' meeting held December 17, 2008. (C-06-09-337-7-00)

## **FLOOD CONTROL DISTRICT AGENDA**

### **F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-09-348-7-00)

### **F-2. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held October 1, 2008; November 6, 2008; December 3, 2008; December 17, 2008; January 14, 2009; and January 28, 2009. (C-06-09-323-7-00)

### **F-3. IGA WITH THE BOARD OF REGENTS, NEVADA SYSTEM OF HIGHER EDUCATION ON BEHALF OF DESERT RESEARCH INSTITUTE FOR THE DESERT SOIL HYDRAULIC CHARACTERIZATION PROJECT**

Approve Intergovernmental Agreement (IGA) FCD 2008A014, between the Board of Regents, Nevada System of Higher Education on behalf of Desert Research Institute (DRI) and the Flood Control District of Maricopa County (District) for the Desert Soil Hydraulic Characterization Project (Project). The total cost of the Project is \$150,000. The District costs under this Agreement will be \$30,000, with the DRI contributing the remaining \$120,000 from funding by the U.S. Army Corps of Engineers. Payments are to be made monthly. The IGA is in effect from execution by all parties and shall be terminated on October 31, 2009.

The DRI will be responsible for completion of all work items under this IGA. The purpose is 1) to evaluate runoff potential and physically measure infiltration rates on a test watershed in Maricopa County, 2) to develop Green and Ampt parameters using the measured data and compare the results with the District's current method and a new method for estimating Green and Ampt parameters developed by the USDA Agricultural Research Service, and 3) to apply the developed parameters to the test watershed and two (2) other similar watersheds for which the District has developed rainfall-runoff data and simulation models for storms of record. The results are expected to be published and may be used in refining the District's Drainage Design Manual.

This item impacts all Supervisor Districts 1, 2, 3, 4, and 5. (C-69-09-050-3-00)

### **F-4. RESOLUTION FOR DELEGATION AUTHORITY ON GRANT APPLICATIONS - FLOOD CONTROL DISTRICT**

Approve a Resolution which delegates to the Chairman of the Board of Directors of the Flood Control District the authority to sign grant applications in compliance with grant policy guidelines in which the grantor requires the Chairman's signature.

If awarded, prior to accepting grant funds, Board of Directors approval is required. All other grant procedures outlined in the Policy for Administering Grants (A2505) remain in full force and effect. (C-06-09-307-6-00)

### **F-5. SELL EXCESS LAND TO THE TOWN OF GILBERT**

Pursuant to A.R.S. Section 48-3603, approve the Purchase Agreement and authorize the

Chairman to sign all necessary documents to convey the following described excess properties from the District to the Town of Gilbert for a total payment of \$24,498,962.

A) A021-001-EX 9.8455 ac Special Warranty Deed \$2,100,000.00

B) M-2153-EX 47.2934 ac Quit Claim Deed \$11,294,757.00

C) 9907-Road 11.1375 ac Special Warranty Deed \$1,455,447.00

D) 9907-RHMB 147.6791 ac (Perpetual) Recreational Use Easement \$9,648,758.00

Authorize the District's Chief Engineer and General Manager to approve and sign the escrow documents due to the nature of this sale.

These properties were declared excess by the Board of Directors in previous Board actions on August 22, 2007 (C-69-08-009-B), November 18, 2008 (C-69-09-019-8), and October 4, 2006 (C-69-07-017-2).

These properties will be used by the Town of Gilbert for future public purposes per Intergovernmental Agreement FCD 2004A007 (C-69-07-017-2-00) and Arizona Revised State Statutes. This item impacts Supervisor District 1. (C-69-09-051-8-00)

**F-6. RESOLUTION FOR ACQUISITION OF LAND RIGHTS FOR IMPROVED ACCESS TO EXISTING STRUCTURES AND PROJECT AREA PROPERTIES**

Adopt Resolution FCD 2009R002 for Acquisition of Land Rights for Improved Access to Existing Structures and Project Area Properties for the Flood Control District of Maricopa County (District). This Resolution will improve access to various District properties for inspections, repairs, and maintenance activities

District staff has identified structures located in various Maricopa County areas that require improved access for operation and maintenance activities, they including McMicken Dam, White Tanks Flood Retarding Structures (FRS) 3 and 4, Cave Buttes Dam, Sunnycove Pipeline, Sunset FRS, Sunnycove FRS and New River Dam. By approving this Resolution, the District can move forward and acquire sufficient land rights to improve access to project properties. This item impacts Supervisor Districts 1,2,3,4, and 5. (C-69-09-052-6-00)

**F-7. RESOLUTION FOR SOSSAMAN ROAD CHANNEL IMPROVEMENTS**

Adopt Resolution FCD 2009R005 for Sossaman Road Channel Improvements authorizing the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to advertise, select, negotiate, and award contracts for engineering services for the implementation of improvements to the Sossaman Channel and include funding in the District's Five-Year Capital Improvement Program.

Approve the following associated adjustments to the District (690) FY 2009-2013 Five-Year Capital Improvement Program (CIP), which result in a net change of \$0: (1) Decrease Flood Control Capital Projects Fund (990) Year 1 (FY 2008-09) project expenditure budget for the project reserve (FCPR) by \$100,000; (2) Increase the Flood Control Capital Projects Fund (990) Year 1 (FY 2008-09) project expenditure budget for the Sossaman Road Project (F108) by \$100,000.

The segment of Sossaman Channel from Baseline Road to Guadalupe Road is a one-mile long earthen channel with six concrete grade-control structures. The District has conducted a study of the problems and associated solution options of repair and upgrade. The implementation of the Sossaman Channel Improvements will enhance its flood control functions and increase its life span. This project has been accelerated to utilize available funding. This item impacts Supervisory District 1. (C-69-09-053-6-00)

**F-8. IGA FOR DURANGO REGIONAL CONVEYANCE CHANNEL 75TH AVENUE TO 107TH AVENUE DETENTION BASIN**

Approve Intergovernmental Agreement (IGA) FCD 2008A010, Durango Regional Conveyance Channel (DRCC) 75th Avenue to 107th Avenue Channel Detention Basin (Project [#565]), between the City of Phoenix (City) and the Flood Control District of Maricopa County (District). This IGA is for cost sharing of the rights-of-way for the future basin site(s). Responsibilities for the design, utility relocations, construction, construction management, operation and maintenance, and additional rights-of-way requirements of the DRCC between 75th Avenue and 107th Avenue will be defined under one or more subsequent Agreements. The estimated cost under this IGA is \$4,250,000 and will be shared equally by the City and the District with the District's share estimated to be \$2,125,000. The IGA shall become effective when executed by both parties and shall expire ten (10) years and ninety (90) days from date of recording by the Maricopa County Recorder or upon completion of the Project and after all funding obligations and reimbursements have been satisfied in accordance with this IGA.

The District, in partnership with the City and other agencies, developed the Durango Area Drainage Master Plan (ADMP). The ADMP identifies existing and future drainage and flooding problems in the area bounded by I-10 on the north, the Salt/Gila Rivers on the south, the Agua Fria River on the west, and the Cave Creek floodplain on the east. The ADMP identifies the DRCC as necessary drainage infrastructure to provide citizens of Maricopa County with 100-year flood protection. This Project is located in District 4. (C-69-09-054-3-00)

**F-9. IGA AMONG THE CITY OF PEORIA, MARICOPA COUNTY, AND THE FLOOD CONTROL DISTRICT FOR PINNACLE PEAK ROAD CHANNEL 99TH AVENUE TO THE AGUA FRIA RIVER PROJECT**

Approve Intergovernmental Agreement (IGA) FCD 2008A013, Pinnacle Peak Road and Channel – 99th Avenue to the Agua Fria River Project (Project [#450]), among the City of Peoria (City), Maricopa County Department of Transportation (MCDOT), and the Flood Control District of Maricopa County (District). This IGA is for cost sharing of the Project design, rights-of-way acquisition, and utilities relocation. The estimated total Project cost is \$6,800,000, with \$2,400,000 being the cost to the District and \$4,400,000 being the cost to Peoria. This Agreement will become effective as of the date it has been executed by all parties. This Agreement expires ten (10) years from the date of recording with the County Recorder or upon completion of the Project.

The Glendale/Peoria Area Drainage Master Plan Update (ADMPU) identified flooding problems in the northwest Peoria area and recommended solutions to provide flood protection to properties west and south of 99th Avenue and Pinnacle Peak Road and safely convey the 100-year flood flows to the Agua Fria River. This Project was among these recommended solutions. A corresponding agenda item is listed on the Board of Supervisors' Agenda under C-91-09-142-M-00. This Project is located in Supervisorial District 4. (C-69-09-055-3-00)

## **LIBRARY DISTRICT AGENDA**

**L-1. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held October 1, 2008; November 6, 2008; December 3, 2008; December 17, 2008; January 14, 2009; and January 28, 2009.  
(C-06-09-324-7-00)

**L-2. DONATIONS**

In accordance with County Policy A2805, accept the monthly donation report received from Library District for February 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-341-7-00)

**L-3. 05111-RFP, LIBRARY MATERIALS AND RELATED SERVICES**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: March 18, 2009

Serial: 05111-RFP

Item: Library Materials And Related Services (\$4,500,000 estimate/one year) Contract renewal for library materials and related services for the Maricopa County Library District. (C-73-09-056-7-00)

- **Baker & Taylor, Inc**
- **Brodart Co**

**L-4. RESOLUTION FOR DELEGATION AUTHORITY ON GRANT APPLICATIONS - LIBRARY DISTRICT**

Approve a Resolution which delegates to the Chairman of the Board of Directors of the Library District the authority to sign grant applications in compliance with grant policy guidelines in which the grantor requires the Chairman's signature.

If awarded, prior to accepting grant funds, Board of Directors approval is required. All other grant procedures outlined in the Policy for Administering Grants (A2505) remain in full force and effect. (C-06-09-308-6-00)

**STADIUM DISTRICT AGENDA**

**S-1. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held October 1, 2008; December 3, 2008; December 17, 2008; and January 14, 2009. (C-06-09-325-7-00)

**S-2. RESOLUTION FOR DELEGATION AUTHORITY ON GRANT APPLICATIONS - STADIUM DISTRICT**

Approve a Resolution which delegates to the Chairman of the Board of Directors of the Stadium District the authority to sign grant applications in compliance with grant policy guidelines in which the grantor requires the Chairman's signature.

If awarded, prior to accepting grant funds, Board of Directors approval is required. All other grant procedures outlined in the Policy for Administering Grants (A2505) remain in full force and effect. (C-06-09-309-6-00)

## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

78. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)
79. Supervisors'/County Manager's summary of current events.

**\*\*\*The Board of Supervisors will now consider Code Enforcement Reviews.\*\*\***

**Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.**

## **CODE ENFORCEMENT REVIEW**

### **PZ-1. ANDRUS - V200702370**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200702370, Andrus (Supervisor District 2). (C-44-09-100-M-00)

### **PZ-2. MULLIGAN - V200602481**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200602481, Mulligan (Supervisor District 3). (C-44-09-101-M-00)

**\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning.\*\*\***

## **PLANNING AND ZONING AGENDA**

### **CONSENT AGENDA**

#### **1. REPLAT - VENTURE COURT PROFESSIONAL PLAZA**

Case Number: S2009003  
Supervisory District: 3  
Applicant: Venture Court Professional Plaza, LLC  
Location: South of Anthem Way on the southwest side of Venture Drive (in the Anthem area).  
Request: Replat in the C-2 CUPD zoning district in order to convert thirty-two (32) condominiums into five (5) condominiums within five (5) medical office buildings.  
Commission Action: N/A (C-44-09-103-7-00)



**REGULAR AGENDA**

**2. SPECIAL USE PERMIT - BRITT FARM WCF**

Case Number: Z2006083  
Supervisory District: 5  
Applicant: Quinn United Services on behalf of AT&T Mobility for Kendall and Elizabeth Britt  
Location: East of Avondale Blvd. and south of Southern Avenue at 6247 S. Avondale Blvd. (in the Avondale area)  
Request: Special Use Permit (SUP) for a Wireless Communication Facility in the Rural-43 zoning district and in Wireless Communication Facility Use District 1 (approx. 1,279 sq. ft.)  
Commission Action: Recommended approval by a vote of 5-1 subject to staff recommended stipulations "a" through "t".

A super-majority vote of the Board is required.

Opposition has triggered a super-majority vote of the BOS for SUP approval - with 51.7% of surrounding acreage and 37% of the property owners by number having registered written opposition to the request. (see attached opposition map and calculations.) (C-44-09-105-7-00)

**3. ZONE CHANGE - TONOPAH MARKET PLACE**

Case Number: Z2006061  
Supervisory District: 5  
Applicant: Earl, Curley, and Lagarde, PC  
Location: West of 379th Avenue on the south side of Osborn Road (in the Tonopah area)  
Request: Zone Change from Rural-43 to C-S CUPD, with a Precise Plan of Development for a commercial shopping center  
Commission Action: Approve subject to stipulations 'a' - 'aa' by a unanimous vote of 6-0.

Staff's original recommendation was to continue to a date certain of March 19, 2009 due to lack of technical sign-off. The applicant was able to obtain technical sign-off prior to the hearing, thus staff was able to support a recommendation for approval of the request, subject to modified stipulations that included revised language to stipulation 'g' and a new stipulation 'aa' as reflected in the attached minutes. (C-44-09-106-7-00)

**4. SPECIAL USE PERMIT - PHO WITTMANN**

Case Number: Z2008102  
Supervisory District: 4  
Applicant: WFI on behalf of Verizon Wireless  
Location: Northwest of US 60 & 211th Avenue (in the Wittmann area)  
Request: Special Use Permit (SUP) for a Wireless Communication Facility – a new 80' monopole with potential for three cellular carriers, to replace an existing approx. 59' high wooden pole with a single carrier - in the C-2 zoning district, Wireless Communication Facility (WCF) Use District 1A  
Commission Action: Approve by a unanimous vote of 6-0 subject to modified stipulations 'a' – 'u' as reflected in the attached minutes. (C-44-09-104-7-00)